



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES  
DIRECTOR

April 14, 2008

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

Transaction: Parks and Recreation Land Acquisitions  
Eight Point Lake Boating Access Site (BAS) 18-20 – Clare County  
Land Transaction Cases #20080005 and #20070060

Tract 1: Land Transaction #20080005 – Federal Home Loan Mortgage Company  
property – \$225,000.00, including improvements and approximately 60 feet of  
lake frontage.

Description: Clare County, Garfield Township, T17N, R06W, Section 30, Lot 31, and part of  
Lot 30 in the Wildwood Beach Subdivision, as recorded in Liber 1, Page 22 of  
Clare County Plats, consisting of approximately 0.15-acre.

Sellers: Federal Home Loan Mortgage Company, McLean, Virginia

Option Expires: April 23, 2008 (extension being sought)

Stipulations: (1) The option with the seller of Tract 1 is contingent upon the simultaneous  
purchase of both Tract 1 and Tract 2. If both options are not satisfied, then the  
Department of Natural Resources (Department) will not purchase either Tract 1  
or Tract 2.

(2) In accordance with Act 451, P. A. of 1994, the seller of Tract 1 agrees that  
the Department option to purchase is assignable to the local governmental unit  
at the agreed-upon purchase price, if they are interested in developing and  
owning the launch.

Property Taxes: The 2007 property taxes for Tract 1 were \$4,321.00 (including improvements).

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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Tract 2: Land Transaction #20070060 – Denno, seven subdivision lots – \$580,000.00 (\$1,415.00 per lakefront foot).

Description: Clare County, Garfield Township, T17N, R06W, Section 30, Lots 25-29, part of Lot 30, and Lot 32, in the Wildwood Beach Subdivision, as recorded in Liber 1, Page 22 of Clare County Plats, consisting of approximately 3.0 acres.

Sellers: Benjamin and Linda Denno, Rochester Hills, Michigan

Option Expires: April 23, 2008

Stipulations: (1) The option with the seller of Tract 2 is contingent upon the simultaneous purchase of both Tract 1 and Tract 2.

(2) In accordance with Act 451, P. A. of 1994, the seller of Tract 2 agrees that the Department option to purchase is assignable to the local governmental unit at the agreed-upon purchase price, if they are interested in developing and owning the launch.

Property Taxes: The 2007 property taxes for Tract 2 (7 lots) were \$6,626.00

Authority: Part 5 of Act 451, Public Acts of 1994, as amended

Notice: This item will appear on the Department's April 28, 2008 Calendar, and is eligible for approval on May 5, 2008.

Comments: The offered private land which consists of eight subdivision lots is located on the southwesterly shore of Eight Point Lake in Clare County, Michigan.

Together, Tracts 1 and 2 consist of eight lakefront lots with 400 feet of road frontage on asphalt-paved South Lakeshore Drive and 470 feet of frontage on Eight Point Lake. The acquisition of these lots will enable the development of a universally-accessible boat launch with adequate parking on this all-sports lake.

Eight Point Lake is the largest lake in Clare County (388 acres) and currently has no dedicated public access. There are 5,500 registered boaters in Clare County served by 14 boating access sites with a total of 109 parking spaces. This acquisition, and the subsequent development of the BAS, will also significantly enhance fishing and boating access in Clare County.

The seven lots in Tract 2 have been approved for individual development and dock construction, which contributes to the value of the property as individual development sites. Acquisition of these lots will enhance resource protection of the wetland portion of the property since it will not be developed with individual dock systems.

Offered Tract 1 consists of residential Lot 31 and part of Lot 30 in the Wildwood Beach Subdivision. The tract is generally level and forested in beech and maple. The tract supports a split-level, single-family residence which will be removed using Waterways funding following completion of the purchase. The lot has 50 feet of frontage on South Lake Shore Drive and 60 feet, more or less, of shoreline on Eight Point Lake. The shoreline at this location is suitable for the construction of a boat launch ramp and supporting facilities. This tract is flanked on both sides by Lots 30 and 32 in Tract 2 as described below.

Offered Tract 2 consists of vacant Lots 25-29, part of Lot 30, and 32 in the Wildwood Beach Subdivision. The land is forested in mature oak, beech, and maple, and has a generally level topography. The frontage along the southeast 300 feet of shoreline (Lots 25-29) is comprised of wetland vegetation. The upland portion of these lots is well-suited for the construction of both parking and support structures for the BAS. The tract also provides screening for the intended boat launch parking area from the lake and nearby residences. The easterly portion of the tract abuts and includes vacant wooded land. The westerly portion of the tract consists of a shallow, wooded ravine shielding the site from adjacent residential property. The northerly 110 feet of shoreline (Lot 30, and part of Lot 32 on either side of Tract 1) has a sand bottom, well-suited for development of boat launch facilities.

As provided for in Act 451, P.A. 1994, subpart 324.78114, when the Department proposes to acquire a boating access site on a lake without an existing public boating access site, it must first offer the local governmental units the opportunity to acquire and manage the proposed site. In accordance with the statute, the tract has been optioned for a period of 90 days, and in such a manner that it can be assigned to a local unit of government, should one desire to acquire this property for public recreational purposes.

On February 7, 2008, a public information meeting was held in Clare County to present the land acquisition proposal, and the process. At this meeting the public was provided with opportunities to pose questions and comments to staff representing the acquisition, the opportunity for local units of government to acquire the site, the design process, boat access site operations, the fishery, and law enforcement. Opportunities for submitting written comments were also made available. On February 15, 2008, the Michigan State Waterways Commission (MSWC) was presented with the acquisition information, feedback from the February 7, 2008 public meeting, listened to additional public commentary, and reviewed a resolution to support the acquisition. On March 28, 2008, the MSWC passed a resolution in support of the acquisition and development of the site with boat launch facilities (attached).

Also attached is a summary of the questions and issues submitted through the public process and the responses shared with the public.

The purchase will include mineral rights owned by the sellers.

- Recommendations:
- (1) That the purchase of Tract 1 and Tract 2 be approved with payment to be made from funds appropriated from the Waterways Fund, under Act 193, Public Acts of 2003.
  - (2) That these purchases be approved with the stipulation that both Tract 1 and Tract 2 are to be purchased simultaneously.
  - (3) That the Parks and Recreation Division, through the Waterways program, remove any undesired improvements remaining on the site upon completion of the purchase.
  - (4) That the parcels be dedicated as the Eight Point Lake Boating Access Site #18-20, to be managed by the Parks and Recreation Division.

David E. Freed, Chief  
Land and Facilities

Ronald A. Olson, Chief  
Parks and Recreation

Kelley D. Smith, Chief  
Fisheries

Lynne M. Boyd, Chief  
Forest, Mineral and Fire Management

Arminda S. Koch  
Resource Management Deputy

Dennis R. Fedewa  
Chief Deputy

I approve the staff recommendations.

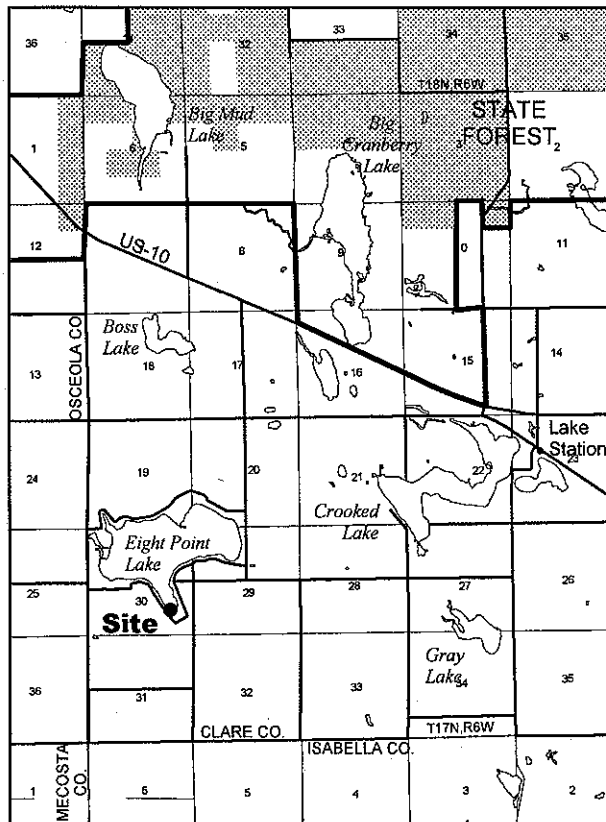
Rebecca A. Humphries  
Director

\_\_\_\_\_  
Date Approved

# PARKS AND RECREATION LAND ACQUISITIONS

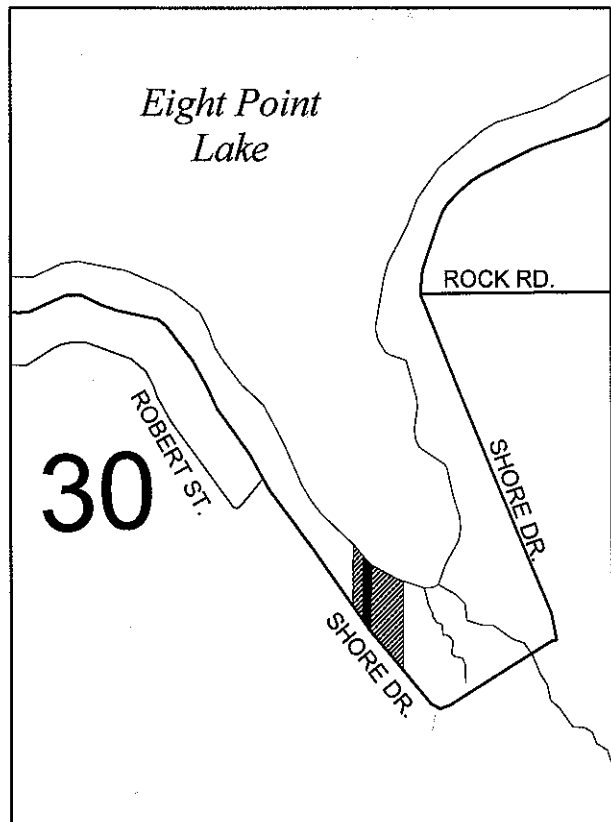
## Eight Point Lake Boating Access Site (BAS 18-20) - Clare County

### Land Transaction Cases #20070060 and #20080005



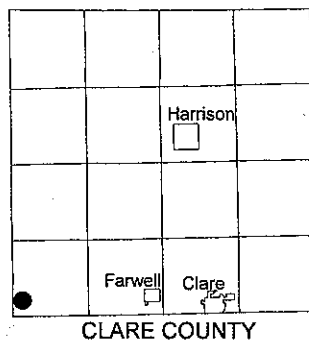
Regional Location

- State Forest Boundary
- State Land
- Private Land



Section 30, T17N, R6W, Garfield Township

- Land Offered to DNR: Federal Home Loan Mortgage Company Parcel (Lot 31 - \$225,000.00) (Case #20080005)
- Land Offered to DNR: Denno Parcel (Lots 25, 26, 27, 28, 29, 30 and 32) (\$580,000.00) (Case #20070060)



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## MICHIGAN DEPARTMENT OF NATURAL RESOURCES

### INTEROFFICE COMMUNICATION

March 20, 2008

TO: Michigan State Waterways Commission

FROM: Ron Olson, Chief, Parks and Recreation

SUBJECT: **Eight Point Lake, Clare County - Land Acquisition Update**

Attached for your review and action is a Resolution to support the acquisition of two tracts of land, including 470 feet of lake frontage on Eight Point Lake for a public boat launch.

#### **Overview:**

The Parks and Recreation Division (PRD) proposes to acquire 2 parcels (8 lots), totaling 3.15 acres of land (with 470 feet of lake frontage) on Eight Point Lake in Clare County to construct a public boat launch. This acquisition supports the mission of the Michigan State Waterways Commission to provide safe public access to the inland Michigan waters. It will also enable the development of a universally accessible public boat launch with adequate parking on this all-sports lake. Eight Point Lake is the largest lake in the county (388 acres), and currently has no dedicated public boating access.

There are 5,110 registered boaters in Clare County, served by 14 boating access sites with a total of 109 parking spaces. The acquisition of land and the subsequent development of the boating access site will significantly enhance fishing and boating access in Clare County.

#### **Lake Access History:**

Acquiring property for public boating access on Eight Point Lake has been a high priority since 1973, when it was first recommended. There have been at least 3 unsuccessful acquisition attempts over the past 36 years to acquire land for a boat launch on Eight Point Lake.

There is currently an existing private launch on the southeast corner of the lake. This fee site has limited development potential as a public launch because the site poses multiple challenges, including its gasoline dock for boaters and marina dock for summer moorage.

The proposed land acquisition involves two parcels that are for sale.

#### **Timeline:**

- Late 2006: The Denno/Huhn properties were brought to our attention by PRD field staff when they were listed by a local real estate agent.
- February 15, 2007: After field review of the site and environmental factors, such as lake depth, lake acreage, wetland protection, vegetative buffers, water soundings, deed restrictions, and possible alternative locations, the PRD requested that the DNR Office of Land and Facilities proceed with seeking this acquisition.

- November 14, 2007: The Huhn's original option was signed; the option renewed on January 24, 2008.
- December 10, 2007: The Denno's original option was signed; the option renewed on January 24, 2008.
- February 7, 2008: Eight Point Lake public information meeting was held.
- February 15, 2008: Michigan State Waterways Commission (MSWC) meeting, including public commentary.
- March 13, 2008: PRD staff met with Eight Point Lake Homeowner's Association representatives.
- March 28, 2008: Special MSWC meeting.
- April 23, 2008: Options expire on both Huhn and Denno properties.
- May 23, 2008: Option on the land was extended from the April 23, 2008 deadline.

**Site Data:**

The offered private lands are located on the southwesterly shore of Eight Point Lake. Together these two tracts of land consist of 8 lakefront lots with 470 feet of frontage on Eight Point Lake, and 400 feet of road frontage on asphalt-paved South Shore Drive.

The 7 Denno lots had previously been approved for individual development with access to the lake, and the Department of Environmental Quality has permitted for the construction of individual docks. Acquisition of this site will enhance resource protection of the wetland portion of the property because it will be protected from individual dock system developments, and will be substantially protected in the proposed boat access project. No septic systems will be built.

The Huhn parcel has an existing house, which will be removed by the owner prior to acquisition. The PRD proposes to locate the launch at the existing sandy shoreline on the northern portion of the property. This will be done to minimize construction and maintenance costs. This location will also allow us to maintain and enhance the existing vegetative screening between the proposed boat access site and neighbors to the north, and between the lake and proposed parking area. The acquisition would use the Waterways Fund Land Acquisition account, which is restricted for public boat launches.

**Environmental Impacts:**

The proposed development will preserve the existing wetland. The threat of invasive species already exists due to the current private fee launch. Eurasian water milfoil is known to be present now; increased exposure to invasives is negligible according to the District Fisheries Biologist.

**Fishery:**

The fishery in Eight Point Lake has been stocked by the Lake Association. DNR Fisheries Biologist Jim Baker has advised the Lake Association in the past that some of the fish species they are choosing to stock are inappropriate and not sustainable. Mr. Baker also indicated in the public meeting that the DNR is interested in stocking the lake, provided a public boat launch is created.

**Public Safety:**

According to Conservation Officer Jon Wood, no watercraft control ordinances exist on Eight Point Lake. Officer Wood has offered to work with the Eight Point Lake Homeowner's Association and Garfield Township to enact a watercraft ordinance. According to Officer Wood, approximately 80% of watercraft citations are issued to lakefront property owners or their guests, as opposed to general public visitors on a lake.

**Public Input:**

On January 24, 2007, the DNR issued a press release for an informational meeting that was held on February 7, 2008. This meeting was held to provide an opportunity for public review of a proposal to acquire property for the development of a handicap accessible boat launch facility on Eight Point Lake in Clare County. Approximately 85-90 people attended this meeting. Public comments generated from this meeting, and those received by mail or e-mail, were copied and presented at the February 15, 2008 MSWC meeting in Lansing. Public comment was also heard at this meeting. The MSWC tabled a Resolution supporting the acquisition until the MSWC could more fully review public comments and questions, and PRD's responses. A special MSWC meeting has been scheduled for March 28, 2008, in Lansing, where they will revisit a decision on the proposed acquisition.

**Public Comments:**

The majority of comments conveyed at the informational meeting came from lakefront property owners and included: boating safety issues, lake contamination from outside boats, introduction of invasive species into the lake, environmental concerns with the development of the site, controlling after hours misuse of the site, and questioning "why" this site is needed at Eight Point Lake for a public boat launch.

**Meeting with Eight Point Lake Homeowners Association:**

On March 13, five DNR staff met with representatives of the Lake Association, Clare County and Garfield Township. The group was represented by 10 Lake Association members, including the Association president. In advance of the meeting, the Association provided DNR with a list of 41 questions for discussion. The group discussed issues concerning project design, environmental impact, safety, privacy, finance and sanitation. At the meeting's conclusion, overall comments seemed to conclude that the meeting had been very productive. Minutes of that meeting are included in your information packets.

**DNR Response to Public Questions and Comments:**

The PRD staff has assembled public comments regarding this boating access site land acquisition, and prepared an extensive response to the questions and concerns received at both public venues and in writing. This information is included as an attachment for your review.

If you have questions or would like additional information, please contact me at 5-4827, or Vicki Anthes at 5-7890.

**Attachments**

cc: Mindy Koch, Resource Management Deputy  
Dave Freed, Chief, OLAF  
Kelley Smith, Chief, FI  
Rodney Stokes, Chief, Law  
Harold Herta, PRD  
Vicki Anthes, PRD  
Scott Dice, PRD



## **RESOLUTION NO. 02-2008-01**

### **RESOLUTION TO ACQUIRE PARCELS ON EIGHT POINT LAKE, CLARE COUNTY**

Whereas the Michigan State Waterways Commission provides advice to the Department on financial and technical issues;

Whereas the Department provides public access to the waters of the state;

Whereas the Department desires to provide public access for persons of all abilities;

Whereas the Department seeks to provide public boating access to Eight Point Lake in Clare County;

Whereas the Department has located a group of parcels capable of being developed to provide public boating access to Eight Point Lake;

Whereas the Department seeks to provide protection of natural resources;

Whereas some of the parcels contain wetlands and the Department seeks to preserve and protect those wetlands;

**BE IT RESOLVED**, that the Michigan State Waterways Commission recommends the Department proceed with the acquisition of the parcels on Eight Point Lake in Clare County.

Submitted by:        Ron Olson, Chief, Parks and Recreation Division

Date:                 Friday, March 28, 2008

# **Responses to Questions and Comments Regarding Boating Access on Eight Point Lake, Clare County**



## **1. Question/Comment:**

--Have any studies been done to validate the necessity for this facility?

### **Response:**

The people of Michigan have a right to access public water bodies, and enjoy the fisheries and other natural resource opportunities.

As you read through this document, a good perspective of things that were done to ascertain feasibility can be gained. Efforts that were made to determine if development of a boating access site at this location is, in fact, feasible, include:

- Discussions with, and written information from Michigan Department of Environmental Quality (DEQ), regarding existence & scope of wetland, previously issued dock permits for lots 25-30, and relative water quality,
- Written and verbal correspondence with the Clare County Road Commission's engineer, to determine ownership, condition, signage, etc., of area roads,
- Verbal correspondence with the Garfield Twp. Supervisor, and personnel at the Clare County Courthouse to verify that there are no zoning, or other building/land use restrictions upon the desired parcels,
- Written and verbal correspondence with the realtor, and with Michigan Department of Natural Resources (DNR), Office of Land & Facilities, to determine/verify willing seller(s) status, property features, existence of easements and scope of ownership,
- Several site visits by DNR staff to ascertain various physical characteristics of the desired property, area of aquatic emergent plants, and surrounding area and roads,
- Discussions with DNR staff members to verify that adequate funding is in place for the acquisition,
- Inspection of entire lake to determine whether or not any publicly-owned boating access opportunities exist, and also to gain information on other recreational opportunities that may exist on & around the lake (beaches, campgrounds, etc.),
- Inspection of the privately-owned fee launch,
- Inspection, analysis, and determinations on two offered alternative site locations on the lake (both rejected),
- Two site visits to measure water depth and general lake bottom soil composition, one site visit to observe relative mid-summer water depth, one site visit to collect stats for computation of dredge area and depth to estimate the volume,
- Discussions with the past and present local Drain Commissioners to gain information regarding legal lake water level, historic water levels, water control structure location & operation, and location of the lake's inlets and outlet,
- Two summer visits to the lake to help determine boating use/congestion (8-10 boats on lake, first visit, one boat on lake, second visit),
- Verbal and written correspondences with DNR Fisheries biologists regarding the current fishery, and potential for future Fisheries involvement/management/stocking.

## **2. Question/Comment:**

--Why was Eight Point Lake chosen for development? Convenience?

--Already have 11 BAS in county, why make it 12?

- Three launches within three miles that have DNR boat launches so use money to improve them.
- Why do we need more access on lake?
- What is motivation behind this?

**Response:**

The need/demand for boating access on Eight Point Lake is very high. It is the largest lake (388 acres) in Clare County and does not provide public boating access. The DNR, Parks and Recreation Division (PRD), identifies a boating access site as having a launch ramp, parking area, and vehicular maneuver area. By comparison, a typical "public access site" may provide only some of these features. Other Eight Point Lake access sites do not provide sufficient space for all the essential elements for adequate boating access, including: vehicle/trailer parking, ADA accessibility, and an adequate vehicle-with-trailer maneuverability area.

There are currently 5,115 watercraft registrations in the County and only 14 boating access sites, providing a total of 109 parking spaces (2%). This registration figure does not include the non-residents that travel to the area to utilize the lake.

Road endings are subject to the confines of their easement or dedication boundaries. For this reason, they do not meet the size requirements to provide a vehicle/trailer maneuver area and parking, in addition to a launch ramp.

**3. Question/Comment:**

--380 acre lake with over 700 watercraft docked. How can the case of the lake being underutilized be a valid one by the Department when you have that many boats on the lake already? Lake is very crowded with boats that belong to property owners, but more by transient boaters that use public launch now.

--On Eight Point Lake, 1,000 registered boats are estimated based on an average of three boats per homeowner.

--Saturated with over 730 boats and personal watercraft and already hosts a sizable number of transient users. Launch site would yield an influx of additional transient boaters creating serious public safety hazard.

--Recent boat count found over 735 watercraft moored on shore. On good warm weekends and holiday weekends it is heavily used by residents and their guests and others.

--Why do we need more boats on lake?

**Response:**

The people of the State of Michigan have as much right to access the public waters of Eight Point Lake as the riparians. Although the DNR received comments from riparians, indicating 700 or more watercraft are owned by them alone, MDNR Law Enforcement Officer Jon Wood has stated his observations, that, in comparison to other lakes in the area, Eight Point Lake is not overly utilized. This assessment is based on his routine observations of the lake during high use and low use periods, year round. The exception is during summer holidays and warm weekends when the lake is more heavily used, as is the case with most Michigan lakes. The MDNR suggests that while most riparians may own multiple watercraft, less than 100% of them are used at any given period.

**4. Question/Comment:**

--Not clear that a need is present or change in present access is needed. Many surrounding counties and elsewhere in state have future, so why not address those counties before adding another in Clare County?

**Response:**

MDNR has tried to acquire property on Eight Point Lake several times in the past. The timing of this acquisition is solely based on the fact that the property became recently available, therefore the MDNR took action to acquire it. The property being sought was publicly advertised and can provide all of the desired elements to provide safe boating access. If MDNR does not acquire the property, it may be many more years before adequate land is again identified to build a suitable boat access site.

By comparison, the privately owned, fee boat launch site on Eight Point Lake is for sale. There is no guarantee that boat launching will continue to be available after the sale of the property.

Based on the ratio of registered boats to parking spaces at public boating access sites, it is clear that statewide demand for boat access exceeds what is available. The current (March 3, 2008) number of watercraft registrations for the State of Michigan is 939,257. There are a total of 29,561 parking spaces at all public boat launches in the state. This equates to slightly over 3% of registered Michigan watercraft being able to access the water of the state through a public boat launch on any given day.

**5. Question/Comment:**

- Lake is largest in county and people should have public access to it.
- Public access would allow public to use lake.
- At other times of significantly low usage there will be the option of an additional facility available to all.

**Response:**

**The MDNR has received several comments in support of public boating access on Eight Point Lake.**

**6. Question/Comment:**

- Benefit does not outweigh the potentially disastrous effect to the lake and its environment.
- What is perceived benefit that is expected to outweigh costs for acquisition, development, and maintenance?
- What is the advantage of a boating access site for lake owners?
- DNR needs to realize public launch is not in the best interests of lake residents or State of Michigan.
- Project not in best interest of property owners on Eight Point, the county residents, or people of Michigan.

**Response:**

**The DNR's goal is to provide a public boat launch facility that will be sustainable into the future. The private launch or road endings are not sustainable alternatives. The addition of a public boating access site facility will be beneficial for these reasons: it will provide safe boat launching and retrieval to riparians and lake visitors; it will use current design standards to protect environmental features on and around the site (such as improved storm water system design); and the DNR will use best management practices to operate the facility. These design and operational standards will provide improvements to boaters as well as to the surrounding environment. The DNR must adhere to all DEQ permitting requirements to ensure a viable and safe facility, and protect the natural environment. A public boating access site will also promote boater safety by directing boating access activity to a select area versus boat launching at less supportive locations.**

**The money to develop this and other state-sponsored public boating access sites is not generated from the General (tax) Fund, but from the Michigan State Waterways Fund. This money is derived from boat registrations, marine fuel taxes, and user fees, and is, by law, restricted to uses related to land acquisition, developing waterways facilities, and operations and maintenance of such facilities.**

**The existing boat launches in surrounding counties and elsewhere in the state are taken care of regularly by our maintenance staff. Improvements to these facilities continue to occur regularly statewide.**

**7. Question/Comment:**

- Of the registered boats, how many are riparian owners in Lake County?
- It appears you are trying to infer an association between 5110 registered watercraft and 109 parking spaces. There is no relationship between those numbers without first eliminating the registered watercraft that have water via property held by watercraft owners.
- This presentation failed to make a convincing case for a boat launch at this site. Data and rationale presented were extremely weak.

**Response:**

**The waters of Eight Point Lake are owned by the citizens of Michigan. All citizens are entitled to enjoy the public waters of this state. There are far more registered boats in Michigan than there are parking spaces to accommodate them at public launches.**

**8. Question/Comment:**

- Have you purchased the land yet?
- Under Public Act 210, there is a 90 day notice for option to purchase. If this has been known for at least a month, why are you just bringing it to public attention now?
- Can you extend options?

**Response:**

**The land has not yet been purchased. To allow local units of government an opportunity to purchase the property in lieu of the State, Public Act 210 builds in a period of 90 days for that alternative**

transaction to occur. Although not required by law, the DNR opted to also give public notice of the pending purchase, via a press release, announcing a public open house. This decision for a public announcement occurred early in the new year. The options can and have been extended to April 23, 2008.

**9. Question/Comment:**

- Are other boating access sites close to Eight Point Lake being used to capacity?
- If these other boating access sites are not being filled, then why develop on Eight Point Lake?
- Isn't it more economical to upgrade the other sites to be accessible?
- Is there a comparable site anywhere in the area that we can look at?
- Crooked Lake has a public access ramp is only a few miles away

**Response:**

As the largest lake in Clare County, Eight Point Lake offers a greater variety of boating experiences than a smaller lake. Any lake, regardless of its size, offers different boating experiences, both in terms of recreation and its natural resources.

The MDNR does not use the exhaustion of parking capacity at surrounding public access sites as sole criteria for improving public access. Use at any lake varies by season, fishing conditions, weather, etc. Generally yes, most of the surrounding area's public boat launches are filled during summer weekends and holidays. Use varies considerably during other times of the year.

Finding land that has the size, configuration, drainage, slopes, and road access with the opportunity to offer long-term protection of a wetland area, a willing seller, all on a waterbody for which there has been a long-term desire to establish a public boating opportunity occurs infrequently. The offered parcels on Eight Point Lake meet this criteria.

The state's Waterways Funds are restricted to use for acquisition, development, operation and maintenance of boating facilities. There is adequate funding to acquire the Eight Point Lake parcels, develop and maintain this site, and the area's existing boating access sites.

Cranberry and Lily Lakes in Clare County, and Littlefield Lake in Isabella County also have public access sites. All of these sites will have similarities, but due to many factors, there are also many differences.

**10. Question/Comment:**

- Lake has a public boat launch
- State should reconsider private launch and cleanup.
- Lake is large compared to others in area, and only access is the private ramp which is not very good. It is narrow, not much parking, costs a few dollars each time, and not easy to board boats if you have medical problems
- Have had difficulties in past with existing ramp due to its size and accessibility.
- Private launch site has greatly reduced ecological and economic impact on the lake with a lower price tag than proposed site.
- Lake has a nominally priced access ramp (\$10) already.
- People pay a nominal fee of \$5 plus \$1 for parking at private launch.
- Person said that owner of private launch stated there is room for 30-40 car/trailer combos.
- Describe decision for this site versus the alternative site.
- No one is denied access to existing boat launch and is a reasonable fee of \$20/year.
- Only access, unless you live on lake, is at store. It is small, narrow, and they prefer, although not strictly enforced, that you have to have a place on the lake to use their ramp for the \$5 fee.
- Reasons for rejecting the alternate site were never made clear. Gas lines were mentioned, but so what? A house, gas lines, electric lines, septic tank, drain field and a water well exist at the target property. Conversely, the alternate site requires no dredging, no/few trees to cut down, and minimal landscape alteration. There is room for parking, excellent proximity to main thoroughfares (Partridge and Rock Rd.) and the alternate location would also benefit the grocery store nearby.
- Have you ever paid to get on the lake? The Lake Association tried to work with the DNR. Why didn't the DNR choose the existing launch? Is this environmentally better?

**Response:**

The DNR desires to provide sustainable public boating access on Eight Point Lake, which currently can only offer a privately operated fee launch. The current owner of the fee launch site has expressed a

strong desire to sell his back lots and use the small parcel on which the ramp is located as lake access for those back lots. If this happens, it would effectively eliminate public access from the existing location. This change could occur at any time.

The state has already considered acquisition of the private fee boat launch property. A myriad of ownership, developmental, and operational problems concerning the private boat launch would be encountered, including: gasoline pumps, buried tanks, and pipes (some owned by persons other than the primary property owner), over twenty long-term mobile homes to be removed, septic systems, a toilet building to be razed, parking separated from the launch by a public roadway, necessitating the crossing of the road by vehicle and pedestrian traffic; maneuvering vehicles & trailers occurring in the public roadway, and the property line configurations bring additional limitations. Finally, the width of the waterfront portion of this parcel is too narrow to allow for appropriate development, making compliance with accessibility standards very difficult.

According to public comments the DNR has received, the current fee launch owner is selective on who he allows to use his boat launch, which indicates that this site does not function as a public boat access site would.

One of the desired acquisition parcels does have an electrical line, a 5/8" natural gas line, and a septic system, all of which can be easily removed). This property does not have any underground gasoline storage tanks, pipes, and commercial pumps owned by a third party, such as exists at the fee site location that is currently for sale.

There is very little difference in the road systems that access either site. Both are served by publicly-owned, publicly-maintained roads that meet standard Clare County road criteria for surfacing, width, signage, and drainage.

Development on the desired parcels will entail much less tree planting than would be necessary on the alternative (fee) site. The desired site already has many well established trees, which increase the aesthetic value, and provide screening throughout the site and along the lake shore, roadway, and contiguous property boundaries.

Because the ramp on the existing fee site is substandard, it would be necessary to remove and replace it with a ramp that meets accepted MDNR safety and quality criteria. The relative ecological impact would be very similar to constructing a ramp at the proposed location.

**11. Question/Comment:**

- There are two undeveloped public accesses at the lake end of Garfield Road and Rock Road.
- Currently the lake already has a number of public access points and one privately operated boat launch.
- Lake already has three access points and two Township parks.

**Response:**

None of the "public access" points mentioned above meet the criteria (refer to response #2) for a public boat access site launching opportunity. Due to the limitations of these road endings, they really offer no sizeable boat access use.

The private boating access provides no assurances that it will be accessible to the general public. It could be sold, or the current owner could decide that he no longer wants to remain in the boat launch business. Either way, it could be literally be gone tomorrow.

**12. Question/Comment:**

- Why not wait for a more suitable location to become available?--One that would lessen the degradation impact to this natural resource.

**Response:**

The current proposed property is a very suitable and acceptable site location, based on our evaluation.

**13. Question/Comment:**

- The lagoon where the site is proposed is not maneuverable.

- Lake is very shallow and area to be developed very shallow, and will need dredging on a regular basis.
- Will the lagoon need dredging?
- What is the process and method of dredging?
- When will the dredging be done (what time of year)?
- How deep and how far out will you dredge?
- If there is a dry season, you will not be able to get to the access point.
- The DNR indicated the water level was measured in February. On what other dates was the water level measured, and what were those readings?
- Lagoon is very narrow and boat traffic now is quite heavy and constant, especially on weekends.
- Because of narrowness, wave action from boats is continuous and is undermining breakwalls and additional boats from launch will increase this action and hasten the decline of breakwalls.
- Lagoon area has about 30 cottages each with at least one watercraft and the DNR is proposing a launch with 30 spaces. 60+ watercraft in such a small area is an open invitation to disaster.
- How deep are you going to dredge? How far out into the lake?
- When was a sediment core analysis been done?
- We would like a copy of the sediment core analysis report.
- Where can we get a copy of the sediment core analysis?
- Where will the dredged material be disposed?
- Too close to wetlands and damaging to lake eco-system to dredge
- Dredging can pose environmental problems and consequences including destruction of habitat.
- Dredging and each time a boat is launched or landed will stir up the silt and possibly kill a great number of fish and other aquatic animals
- Very shallow, mucky bottom which may even be classified as a wetland area which would require dredging, and this would negatively impact the entire aquatic environment of that area home to many creatures including a beaver colony.
- What precautions are in place to prevent harm to fish through dredging?
- What methods are used in dredging to protect spawning fish and wetland areas?

**Response:**

There is no lagoon involved; however, the width of the bay, at the location where the state is proposing the launch ramp, is approximately 1000 feet across. This is many times greater than the amount of space required to maneuver watercraft the size of which is common.

The subject lake is relatively shallow, with an average depth of approximately 10 feet, and a maximum depth of 25 feet. To put this into perspective, nearby Lily Lake with public access has approximately one-half of the average depth of Eight Point Lake. Recreational boating and fishing use on Lily Lake is not hindered by its more shallow nature.

A severe drought will definitely have a negative impact on any waterbody. However, Eight Point Lake, in addition to being fed by springs located in the lake itself, is also fed by at least two drainage/stream systems. Discussions with both the past and present Clare County drain commissioners has revealed that the lake level is set by court mandate and controlled by a structure at an outlet, located on the north side of the lake. These commissioners could not recall a seasonal water fluctuation in excess of a one foot drop from the mandated level.

The existing water depth at the proposed launch ramp location is good. Some soil removal is always required for initial boat ramp construction, to allow for the proportional replacement of the ramp's stabilizing gravel base and concrete. The soil removal for the ramp at Eight Point Lake is a relatively small amount, because the desired water depth at the end of the proposed ramp is very close to what the existing floor of the lake currently measures. The area of soil removal would average 2.15 feet in depth, 24.25 feet in width, and 40 feet in length from the shoreline, totaling about 80 cubic yards. Most launch sites also require periodic maintenance dredging. Based on past experience and similar situations, the volume of this maintenance dredging will probably range between 5 to 10 cubic yards annually, and is usually done in the spring.

All dredging is conducted under a permit issued by the Michigan Department of Environmental Quality (DEQ). These permits dictate the amounts, methods, and scope of dredging. Silt curtains are placed in the water to effectively control the spread of sediment during a dredging operation. The temporary

placement and permanent disposal locations of dredged material also must be in compliance with DEQ permitting.

Based on the number of riparian-owned boats (700 or more according to some riparians) and other boats that are launched at the existing fee launch, the number of boats launched at the proposed state access (approximately 25) will present a very small net increase, if any. Therefore, riparian concerns that the increased boat traffic related to the proposed public launch will significantly exacerbate any pre-existing condition are unfounded. This logic would apply equally to any environmental, safety, or shoreline degradation issues. Should related issues arise, the lake's association has the option to initiate the implementation of local watercraft ordinances, of which there are several options for controlling watercraft speed and hours of operation. Currently, no watercraft ordinances exist on Eight Point Lake.

Based on lake size and other applicable criteria, a public access site on Eight Point Lake would have very close to 25 vehicle/trailer parking spaces. Use patterns at most public boating sites in Michigan show that they are more heavily used on summer holidays and weekends. It is also typical that these sites are much less used on weekdays. A sediment core analysis is conducted in the engineering phase of a project, after the acquisition. This site has been inspected by several DNR professionals familiar with the needed development and construction conditions. These representatives are highly confident that the soil structure and composition found on this site will present no significant impediment to development.

**14. Question/Comment:**

--Where is the road access point for this site?

**Response:**

Though it is preliminary to definitively state without an engineering assessment, it is desirable to have the road entrance of this site in close proximity to the location of the boat ramp. The boat ramp location is tentatively proposed to be located on the waterfront property where the house is currently located. Additional road access information can be found in response #42.

**15. Question/Comment:**

- Is the project to cost \$1.5 - \$2 million, and if not, what is it to cost?
- Cost of acquisition and development will be over \$1 million.
- Will this cost the locals anything?
- Is there funding for this project including property acquisition and development?
- DNR won't tell us how much for project.

**Response:**

The average cost to develop similar boat access sites is approximately \$250,000, however many variables will determine final costs, and those are not known until a comprehensive engineering study is completed. These variables can include: soil conditions, elevation changes with excavation or fill, contracted construction vs. DNR staff construction, material costs (gravel surfacing vs. asphalt), and delivery costs. Funding for the property acquisition has been appropriated by the legislature. Depending on the final engineered estimates, funding for construction may be allocated from the current or future capital outlay budget. This project will not require local funding. DNR is interested in working with a team of local representatives to develop the final design.

**16. Question/Comment:**

- Does DNR have a minimum width for a single ramp?
- How wide is the finger area on the bubble diagram?
- What factors is the estimate for parking spaces based on?
- Will there be public restrooms at this site? How many?
- How many parking spots?
- How many boats will be able to launch at a time?
- Will ramp be paved into lake and how far? What will length be for the apron?
- How many docks and how long?
- What is the access site design layout and what are the project details?



- Will there be one or two boat ramps?
- What are the dimensions of each ramp?
- Will the dock(s) be on the west or east side of the ramp(s)?
- What signage is planned and where will it be installed?
- Will the area be lighted at night?

**Response:**

Parks and Recreation Division is considering one, 18 foot wide by a minimum of 60 foot long, prefabricated concrete planked boat access site ramp. The guidelines used by the division for a launch ramp indicate that the portion of the ramp from the waterline into the water is a minimum of 34 feet. The length of the ramp from the waterline to the top of the ramp is 26 feet. The site will have the capability to launch or retrieve one boat at a time with a movable 30 foot long skid pier that most likely would be located on the driver's side (east side) of the launch.

Factors such as topography, soil conditions, configuration of the site and vegetative buffers all have an influence on the parking spaces designed in a site. At Eight Point Lake, given that the project has not been designed or engineered yet, we can preliminarily estimate that this site may have between 20 and 25 parking spaces with a unisex, barrier-free vault toilet.

At this time, since the site has not been engineered, there is only conceptual access site design layout, and no project details (such as if there is a concrete apron at the top of the launch ramp and what the size would be). In addition, since a topographic survey of the site has not been conducted, it is too soon to give any dimensional information. At this time, the DNR does not intend to light the site.

Regarding signage, a typical boat access site includes an informational bulletin board (near the launch area), barrier free parking signage, site regulatory signs such as for traffic control (throughout the entry drive and parking lot), and a facility identification sign at the entrance to the site.

**17. Question/Comment:**

- What about special needs access such as a fishing pier? Will there be any type of pier or special lift?
- Would be better if there was a handicap accessible dock so people could fish off it.
- Handicap accessible boat ramp would help to continue to pursue fishing with grandchildren.

**Response:**

There are no plans for a fishing pier on site. There will be a five foot wide skid pier that will have a transition ramp plate at the shore end to assist wheel chairs when accessing the pier. There are no plans for a lift on the pier.

**18. Question/Comment:**

- The proposed site has advantages such as parking room, less congestion, free to all area residents, out of the way and not blocking South Shore Drive.

**Response:**

The proposed site will provide a good access point for all lake users, including riparians, and assure public access.

**19. Question/Comment:**

- Will walls/fences/berms be installed along boundaries for noise reduction and privacy of neighboring property owners?
- How will privacy for property owners adjacent (and near) to the boat launch be protected?

**Response:**

The DNR will work together with its neighbors to determine the most appropriate means to provide privacy. As part of the site design processes, neighbors will be contacted to develop these plans together with us. To inform the public of the boat access site property limits, boundary signs are typically posted, making persons aware that crossing the boundary/fence line may constitute trespass onto private property.

Areas of special concern, such as nearby residences, are addressed in the design to reduce the impact of activities on the access site. DNR prefers to maintain the maximum possible existing vegetation and trees. We will often add native trees and shrubs to further enhance screening effects. Sometimes, berming is developed by using the balance of native soils from the site construction. Designers also endeavor to focus the developed features further away from neighboring residences, to the point that it is feasible.

**20. Question/Comment:**

--"Develop and operate to Department standards." Just what are those standards? I would like a copy of them.

**Response:**

The standards are a variety of development criteria designed into engineered plans and specifications. The operational standards are our basic boat launch requirements: specifically, hours and days of operation, non-discrimination, and restroom and site maintenance follow typical operational standards that we require of public boating facilities.

**21. Question/Comment:**

--How many site visits were conducted? On what dates?

**Response:**

Following is a list of the site visits:

1. February 5, 2007: initial site and lake depth assessments.
2. February 15, 2007: follow-up site assessment.
3. mid-June, 2007: observed summer time site condition and drove entirely around lake to inventory public recreational opportunities.
4. Circa July 10, 2007: again visited/inspected parcels desired for acquisition and entire lake area.
5. September 11, 2007: assessed alternate offered parcel (see site location).
6. September 26, 2007: observed lake via boat and photographed shoreline areas of desired parcels.
7. February 8, 2008: assessed newly-offered alternate parcels on north end of lake.
8. February 26, 2008: conducted another water depth analysis and dredge data in front of desired lot #31.

**22. Question/Comment:**

--What is the project date for the boat launch to be open?

--What is the projected timeline for this project until it is available to the public?

**Response:**

Although a project timeline has not been completed, the DNR would like to see the public boating access site construction completed by fall, 2009. The first step in the process is to acquire the land, then invest the money into engineering.

**23. Question/Comment:**

--Wetland impacts

--How do you propose to protect wetlands during development and dredging?

--Have you looked at the wetlands in front of house where development is to take place? A property owner was not allowed to develop in wetlands, so why can the DNR?

--Area consists of natural vegetation and wetland

--Ramp will be located in and adjacent to wetlands and the lakes natural filtration system

--With societies concern for green areas, I cannot imagine that the State would destroy wetlands for pavement, docks, and parking.

--The entire area be restudied and reclassified correctly as a wetlands area and be protected as such. This is one of the few remaining areas on the lake that has not been developed and should be preserved.

**Response:**

The impact on any existing wetlands at this site, whose boundaries are to be determined by the DEQ, will be held to a minimum and protected through a variety of practices. This includes following proper Soil Erosion and Sedimentation Control measures, best management practices, proper planning by

focusing development in the non-wetland areas, and proper maintenance of the shoreline and prevention of erosion through vegetative support. If the site was built into residential properties, greater impact on the wetland would occur due to the higher level of development (reference answer #25), versus the impact created by a boating access site. Furthermore, residential docks have been DEQ permitted for placement through the wetlands at several locations. After careful site evaluation, the proposed launch ramp location would not be placed in a sensitive area. It would be constructed in an area that is already cleared and developed to the shoreline, and where a dock currently exists. Vegetative buffers and screenings would also be preserved between the wetland and the developed areas.

**24. Question/Comment:**

- When does DEQ decide on wetlands of site?
- On map, is it DEQ's interpretation of wetlands or yours?
- Based on the lake characteristics of depth, wetlands, etc, does DNR expect DEQ to accept that site?

**Response:**

DEQ will determine the wetland boundaries after PRD's formal application is submitted. PRD's conceptual plans would utilize the same areas that DEQ delineated when the previous developer applied and successfully received a permit to place 6 docks. DNR does not anticipate any difficulty in getting a permit to construct the launch ramp based on previous conversations with DEQ, and because the same area is already permitted for multiple docks.

**25. Question/Comment:**

- What about environmental damage to the lake?
- Site would be disruptive and detrimental to existing natural resource.
- Some of the wildlife in the area include: ducks, geese, loons, turtles, frogs, numerous fish species & numerous plant species (e.g. water lilies etc.).
- Located in sensitive area for wildlife.
- There are also other types of protected species on lake.
- We at lake are very cautious around loons and blue herons and guests will not use same caution since they have no ties to lake and will not care.
- The proposed location is in a cove which is unique to the lake, putting a boat launch & parking in the cove will eliminate this valuable natural resource.
- Concerned that proposed launch would be expanded with more impact on environment.
- Does the leadership truly understand the effect on the environment in this cost prohibitive project?
- Nothing was said to assure the audience that this watershed would be conserved or protected from degradation.
- How will DNR maintain the current level of water quality and health of this watershed?
- Nothing was said to inspire confidence in the competence of DNR staff or that they consider the long-term impact of their actions on the environment.
- Property owners care deeply for protection and preservation of our natural resources, and have worked for years to maintain the safety and health of their lake.
- Property owners have pride and vested in maintaining the lake's high water quality and clarity.
- Property owners sponsor a cleanup program to keep litter from the shores and roadways around the lake.
- Property owners have high standards for this natural resource not shared by DNR.
- I recognize there is nothing we can do to stop this, but have the right to expect the DNR to meet us halfway, step up to the plate and join us in adopting the same stewardship stands that we practice.
- What steps will be taken to avoid encroaching on wildlife habitat in the wetland?

**Response:**

The proposed property consists of eight lots. If these lots were developed as residential sites, at three boats per lot, there would be 24 additional boats, versus an access site that is providing 20-25 parking spaces, used by both riparians and visitors. It is valuable to review the environmental impact of developing eight residential lots vs. the boating access site. Eight developable lots equates to eight households, eight septic tanks, and eight septic fields. New housing may also add more chemically treated, manicured lawns and clear-cut lots to provide for their development. These eight lots have been permitted by DEQ for eight docks, while the proposed boating access site would have only one on

the boat ramp. It is feasible that some of the riparian's septic systems (especially the older ones) are leaking into underground aquifers and into the lake, boosting the levels of nitrogen and other pollutants, thus degrading the general water quality and causing the extraordinary aquatic weed growth. These weeds are being treated with chemicals that may also be harming the lake. Generally speaking, riparian owners treat their lawns with chemical fertilizers and pesticides, which leech into the lake causing significant environmental damage.

Regarding the comment that the DNR "needs to step up to the plate" and join them "in adopting the same stewardship stands that we practice." DNR employees will not have any problem upholding their part of the bargain, pertaining to environmental issues. Most of us pursued careers in natural resources because of our commitment to protect the natural resource environment for the public benefit. DNR will employ creative design in engineering this boating access site, which would comply with all regulatory laws. We are willing to look at new design solutions to master environmental challenges (for example, controlling runoff through using a rain garden).

Some of the public comments exhibit a mind-set that the persons that use public boating access sites have less understanding of, respect or compassion for, the lake's natural environment than riparians do, which is a presumption without a foundation.

The small net increase in boating traffic would cause correspondingly little to no increase in overall negative environmental impact.

The proposed launch ramp location would not be in an environmentally sensitive area. It would be constructed in an area that is already cleared and developed to the shoreline, and already has an existing dock in the water.

Along with public ownership, perpetual protection of the remaining wetland and of the associated shoreline will be realized.

**26. Question/Comment:**

--When launch is built, will have to clear cut property which will allow runoff into lake.

--How much vegetative stripping will be done?

--How much vegetative buffer will be left between the parking lot and South Shore Drive?

--How will the DNR prevent soil erosion into the lake as a result of vegetative stripping for the parking lot and boat ramp(s)?

**Response:**

It is our intent to leave as much buffering and existing vegetation in place as possible. All potential runoff will be managed using best management practices and filtration zones, as required by DEQ.

**27. Question/Comment:**

--Why does DEQ support DNR launch?

--Isn't DEQ part of DNR?

**Response:**

The Department of Environmental Quality (DEQ) is not a part of the DNR and functions as a separate department. DEQ supports public access to the waters of the state and the protection of those waters is within their mission.

**28. Question/Comment:**

--Is a permit from DEQ required for development? Is a permit from DEQ required before acquisition of property?

--Has the DEQ issued permits for eight docks on the property?

**Response:**

Yes, a DEQ permit issued for the development of the site, specifically for construction of the ramp, is required. In addition, a soil erosion and sedimentation plan must be submitted to the DEQ for the earth change work in the uplands. The Bay City DEQ staff indicated that permits were issued for docks on the 6 lots (numbers 25 through 30). Some of these lots have wetland along the lake shore.

**29. Question/Comment:**

- Location is at end of lake which is the natural clean out for lake.
- Area is inlet for lake, in addition to critical area for fish spawning and riparians respect this and are careful not to disturb that part of watershed. Boaters coming in for day are not going to have same mindset and only care about having fun.
- How will this project avoid disturbing the adjacent watershed inlet?

**Response:**

There is an inlet to the lake, about 500 feet southeast of the proposed boat ramp location. The water source for this inlet is a large wetland area. The DNR acknowledges that wetlands perform a natural form of cleansing, however, as a lake inlet, this wetland area does not function as a cleanout for the lake by itself.

**30. Question/Comment:**

- Where will effluent from bathrooms go? What about odor if no septic system?
- What if a spill from uncaring boaters of gasoline or oil? They won't care and most likely not report it. Will we have to carry that burden?

**Response:**

Effluent will be captured in a sealed concrete vault, pumped and transported by a licensed septic hauler, and then deposited in a licensed disposal site.

Odors associated with this type of building are addressed chemically and by construction design features that encourage air infiltration and diffusion. Designers will take into consideration the proximity of the residential neighbors, and configure the site design to locate the toilet building a reasonable distance away from them.

There is no reason to believe that the persons using a public launch are some how less "caring" than riparian owners. MDNR discussed the issue of financial responsibility briefly with a staff person at the Bay City DEQ office. She said that a spill, as might be associated with the size of a boat on Eight Point Lake, would generally be handled locally, placing some absorbent material on top of the spill, then removing the material. If the responsible person is known, some counties bill them for the clean up. In cases where the responsible person is not identified, the cost is generally absorbed by the county. She had never heard of a situation where the riparian owners were held responsible, financially or otherwise.

**31. Question/Comment:**

- The taxes pay for milfoil treatment now, so how much will the DNR contribute?
- Since the DNR will be making this watershed available to everyone and thereby increasing our exposure to invasive species, will the DNR now share responsibility with property owners for the cost of treating the lake for Eurasian Milfoil? (Property owners pay for treatment through a special tax assessment.)
- Will there be any help with weed harvesting?
- The Lake Association cared and maintained the lake, and even requested a taxing authority for funds to control milfoil infestations.
- Who will pay for cleanup? Is money appropriated for this potential problem?
- If DNR intends to be a riparian owner, then we expect them to share in the cost of maintaining the water quality.
- Locals currently spending thousands of dollars to control milfoil.
- Water quality is very high currently with active homeowners association and currently levy millage for weed control and have no zebra mussels or other harmful species except for milfoil which started at the current boat launch area.
- If other exotics are introduced it will cost the people within the special assessment district more money and some exotic species are uncontrollable.
- Maybe the funding for this project should be used to stop these invasive pests from entering lakes with a public access rather than building new ones.
- DNR made it clear they would not be contributing funds toward milfoil or other exotic/invasive species.
- DNR attitude regarding future threats from invasive species shows little concern for welfare of this natural resource. DNR is unwilling to take any responsibility for the cost of treatment of invasive species that transient boaters may bring to lake degrades the resource for all others and unfairly shifts burden for problem to riparians.

**Response:**

Because the DNR is concerned about invasive species, we've committed our agency to educating the public about what can be done to control them. DNR takes a proactive, education approach by posting information at our public boating access sites. We continue to partner with DEQ and Sea Grant to develop and purchase educational signage. By contrast, invasive species information posted at private boat launches is infrequently seen. Many free publications include information about invasive species, such as the: Michigan Harbor Guide, Michigan Public Boat Launch Directory, and the annual Michigan Fishing Guide, to name a few. DNR also works with local lake associations to post other, relevant information at our boating access sites.

Multiple factors must be reviewed before PRD will consider financial participation in aquatic invasive species removal, including: the likely effectiveness of the proposed controls, impacts on ecosystems, sustained measurement for success, long term management of the watershed, and the cost of participation. Current participation for invasive species removal has been expressed in policy as subject to the discretion of the PRD District Supervisors. PRD will review and consider any reasonable innovative proposal for invasive controls.

PRD periodically reviews policies to continue respond to current trends and standards. The policy for both aquatic invasive species removal and weed harvesting has been in the review process for two months. The Boating Team, which is comprised of PRD Lansing office and field staff, has finished the second review of this draft policy at their March meeting and in the process of recommending policy changes in April.

**32. Question/Comment:**

--More boats will bring in exotic/aquatic plants and weeds such as Eurasian Milfoil. Lake will be exposed to exotic pests and zebra mussels. These are issues being fought on other lakes. We should be maintaining waterways and not destroying.

--The landowners/riparians will be left dealing with the invasive pests.

--How do you control any disease and invasive species from entering the lake?

--What is the DNR's plan to prevent/manage the increased threat of exotic species and introduction of others in the watershed through a public access site?

--Exposure to imported exotic pests and weeds will increase proportionate to the increased transient boat traffic driving up costs for property owners to deal with these invasives.

--Michigan is faced with over 180 invasive species. In Clare County, there are 18 lakes infected with milfoil and 4 lakes with zebra mussels.

--My greatest concern is the introduction of invasive exotic aquatic pest, plants and diseases such as Eurasian Water milfoil, Curly leaf Pondweed, Hydrilla, Zebra mussels and fish diseases like VHS already found in Clare County.

--Hydrilla was recently found in northern Indiana and northeastern Wisconsin and with no doubt will invade Michigan soon.

--Zebra mussels are already present on one neighboring lake

--Zebra mussels are already present on Crooked Lake.

--These concerns are very real and should not be ignored. Eight Point Lake is a very shallow water body with a mean depth of only 6 to 7 feet making very vulnerable to these invasive exotics.

--The existing boat launch on Eight Point Lake is being monitored for these invasive species and as a result of exposure is kept to a minimum and a public access site would increase the risk of exposure.

--Milfoil may or may not have been introduced by non-property owning boaters.

--How does State ensure Zebra Mussels do not become a problem?

**Response:**

Eight Point Lake has already potentially been exposed to multiple exotic species by riparians whose boats have used other lakes in addition to Eight Point Lake, as well as non-riparian visitors using the fee launch. Eurasian milfoil is already in the lake. There is a good probability that other non-native 'exotic' plant and/or animal species have also been introduced. This may occur by means of migrations through connecting water systems, rain & storm run-off, transport by fishes, reptiles, amphibians, mammals within aquatic habitats (mink, otters, muskrats), and birds. The possibility of transport/introduction of these unwanted species into Eight Point Lake by boats, their engine-cooling waters, and boat trailers is a situation that is current, ongoing and pre-exists the development of a publicly-owned boat launch.

The steps that the state has taken to help control the spread of unwanted non-native species is a multi-faceted media campaign, education, and encouragement of compliance with rules and methods to eradicate organisms that have entered, or become attached to boats and related equipment.

**33. Question/Comment:**

--Until DNR and/or DEQ can guarantee no additional invasive species will be spread into Eight Point, there should be a moratorium on development of public boat launches in State.

--Maybe we need a moratorium on DNR building new ramps in Michigan until invasive species are cleaned up so they are not spread to this lake and other Michigan lakes.

--Until the State of Michigan can control the invasive species and destruction of wetlands, no new boat launches should be even considered.

**Response:**

There are no absolute solutions to prevent the spread of invasive species, either by human or nature. Stopping the building of boat launches will not stop the spread of invasive species. The best solutions are to educate the public about invasive species, why they are undesirable, how they're spread, and the boater's personal responsibility for reducing contact between water bodies.

**34. Question/Comment:**

--Will a boat wash station be available to remove invasives such as Eurasian Milfoil and zebra mussels?

--Fish disease

--Bass fishermen go from lake to lake and don't wash their boats enough so they contaminate and disturb lakes with their high speed boats.

**Response:**

A boat wash facility is not being planned for this site. Disinfection of boats is first and foremost the responsibility of the boat owner. For example, water can be taken from the lake and mixed with ordinary chlorine bleach on-site and applied to the boat for the purpose of disinfection before leaving the site. Fish diseases can be spread through a variety of vectors, including boats, live bait (minnows), and fish plantings. The 2008 Fishing Guide contains a substantial amount of information concerning new regulations regarding vessel disinfection and baitfish use, that should help anglers and boaters to better understand and control the spread of disease and invasive species.

**35. Question/Comment:**

--The Lake Improvement Fund pays for fish plantings every year with different species, so who will pay for it now?

--What specifically will the DNR pay for on fish stocking, as the property owners currently fund all the fish stocking activities?

--Lake stocked by Lake Association and this stocking predates 2002.

--If DNR intends to be a riparian owner, then we expect them to share in the cost of maintaining the fish population.

--In past Homeowner's Association stocked the lake, so will State do this? Please advise the State's fish planting program.

--Public access would allow Fisheries Division the chance to improve the fish populations of lake.

--DNR said they would only consider periodic fish stocking, limited to Walleye.

**Response:**

According to Fisheries biologist, Jim Baker, the DNR is willing to work with locals on fish planting, and would most certainly become involved in managing the fish community of the lake. DNR would seriously consider adding Eight Point Lake to their walleye management program once a comprehensive fisheries survey is completed. There would be no cost to the lake association to stock the walleye, with a spring fingerlings stocking rate of about 19,375 every three years, based on Eight Point Lake's water acreage. This program would not preclude the lake association from continuing to stock fish as they currently do, under permit from the DNR.

**36. Question/Comment:**

- The anglers will benefit by having this site
- Due to low water levels and small size of Gray Lake, it does not allow me to fishing and boating opportunities as well as Eight Point would.

**Response:**

**Agreed.**

**37. Question/Comment:**

- Project site is in critical area for fish spawning
- Every time a boat is launched silt will be stirred up and suspended in water clogging fish gills and inhibiting eggs from developing properly.
- What about wetlands and fish spawning in the area?

**Response:**

**The proposed site of the launch ramp is not in the adjacent wetland area and will not have negative effects on fish spawning. The DNR will be diligent in preserving the wetlands adjacent to its property.**

**38. Question/Comment:**

- Conservation Officers are rarely seen, and this site is 30 miles from the sheriff department. This boating access site will be a magnet for drinking parties.
- Lake is nearly an hour from county sheriff and we rarely see officers
- Who will provide the added patrols need by law enforcement to monitor the lake during the busy times? Will Clare County be able to provide a patrol officer every weekend throughout the summer? Will the State be able to provide a round the clock conservation officer during that busy time? With budget cuts, patrols will probably be less than they have been in the past. No one will be available to educate the transient boaters and marine patrols will be less resulting in disaster.
- Does Clare County have the necessary manpower to police the lake and who funds this?
- Will the increase in lake use and traffic through the boat launch have a corresponding and proportional increase in law enforcement and DNR patrol? No numbers provided at meeting. I would expect that any increase would be addressed proportionally. If increase in traffic is expected to be minimal, then I find it hard to understand the justification for this project.
- Concerns regarding the policing of the area and dealing with issues related to trash, unwanted parties and following existing lake rules.
- Who will police area for drugs, drunken behavior, littering (in lake and on site) from transient users?
- Other launches nearby are constant scenes of problems such as fights, etc.
- Who will be responsible for enforcement of parking issues?
- Who will be responsible for policing this launch site?
- Boaters don't know rules or show consideration.
- Even with educational efforts, I witness boaters going wrong way around lake, driving to close to docks, and being discourteous to other boaters. Add that to drop-ins, who will have less regard for property or lake rules and it will be a matter of time before a death or serious injury occurs.
- Already enough boating traffic generated by property owners who know rules of the lake. How will safety issues be addressed by visitors to lake? A death occurred on lake by boater going wrong way around lake. Property Owners Association stresses importance of boater safety to all lake residents and holds boaters safety classes. Who will teach the transient boaters about the rules of the lake, and how long will it be before another death occurs because someone was going the wrong way?
- There has been one death and one serious injury to persons not familiar with lake. Are you willing to accept this as a probable occurrence due to increased numbers of people unfamiliar with the rules of the lake?
- Cannot fish on weekends now because of jet skis and boaters going too fast.
- Strongly urge consideration of limiting boat speed in lagoon to no wake to promote better safety due to congestion issues in the lagoon area.

**Response:**

**Conservation Officer Jon Wood has not noticed any differences pertaining to enforcement problems between lakes with public maintained access sites and those without. It is easiest to compare Eight Point Lake with nearby Crooked Lake which has a public access. Both lakes are large in comparison to other county lakes.**



When taking law enforcement action on any lake, including Eight Point Lake, Officer Wood has developed the habit of asking individuals where they are coming from. While not keeping any written documentation, it is his opinion that 8 out of 10 subjects cited/arrested are usually one of the following: a riparian owner, a relative of a riparian owner, or a friend of a riparian owner who is visiting. This includes violations of both the Marine Safety Act and the fish/game laws.

One notable difference on Eight Point Lake is the high number of after-hour personal watercraft (PWC) violations and complaints. This is also the case with Crooked Lake (public access). One probable reason is that neither lake has a state local watercraft control ordinance in effect. State local watercraft control ordinances generally prohibit PWC operation between the hours of 7:30 pm - 11:00am. The lakes (several) in Clare County that have the local watercraft control ordinances seem to have much better compliance.

Steps can be taken to explore the idea of a local watercraft control ordinance if the lake association and township are in favor. The Township can create an ordinance with the riparians and DNR.

The local Conservation Officer does not recall ever receiving a complaint about illegal drug activity or fights breaking out at a state administered access site in Clare County. He has been witness to the occasional argument about who was first in line or about someone taking too much time to launch or load their vessel.

Conservation officers spread their enforcement time between several activities during the summer months. Although they spend much of their time enforcing marine and fish/game laws, they are also obligated to enforce laws that take them off the water.

Conservation officers work with the local sheriffs department to ensure the best coverage allowed. Clare County central dispatch is directed to refer the closest law enforcement unit to the scene in the case of an emergency or complaint, so it may be either a conservation officer or a sheriff's deputy that shows up.

It is beneficial to have a dedicated parking space for law enforcement officials who respond to emergencies and complaints. This helps to get the officer on the water in the shortest amount of time. In some cases, minutes and seconds count.

**39. Question/Comment:**

--Owner of private launch has never charged the sheriff's department for use of ramp.

**Response:**

Agreed.

**40. Question/Comment:**

- Will the site be staffed, and how do you control overuse?
- With DNR already closing several access sites due to budget constraints, how can we be sure of adequate needed service at this site (garbage, robbing, toilets, etc.)?
- Who would take care of restrooms?
- How often will the restrooms be cleaned and emptied, and by whom?
- Will trash containers be available and who and how often will they emptied?
- How many trash receptacles will be at this site?
- Will the trash receptacle be covered or uncovered, and how often will they be emptied?
- If you keep the boat launch toilet and grounds like the state parks, it will always be unkept.
- Who will be collecting the litter and trash others leave -- at the site -- the waterfront -- in the water?

**Response:**

Initially, the site will not be staffed. Should the site become busy enough that issues, such as illegal parking and user conflicts warrant it, the site will be staffed. Of the 34 developed boating access sites in 5 counties that are administered by the Clare Recreation Unit, only one requires staffing.

Site overuse is controlled through the use of signs, the cooperation of state & local enforcement officers, and occasionally by land use orders of the director, and through local site rules such as night-time site closures. If parking on adjacent public roads becomes a problem, the state works with, and supports, lake associations and townships in their effort to make parking along nearby public roads illegal.

No boating access sites that are administered by the State have closed due to budget constraints. The Waterways Fund is restricted to boating related uses, and is not in jeopardy of being redirected or lost to other State needs.

In the Clare area, staff typically perform general maintenance tasks at all sites twice per week. The exception is during long summer holiday weekends, when a third maintenance run is conducted. General maintenance tasks entail the cleaning & deodorizing of toilet buildings, replacement of toilet paper, sweeping of walkways & ramps, replacement of signs, and picking up litter/trash.

The Clare area boating program administrator cannot recall even one report of theft occurring at any of the 34 sites in his area.

**41. Question/Comment:**

--DNR is struggling to operate and manage its current holdings. In 2007, DNR closed parks and laid-off employees due to lack of funds. Why launch another project when they cannot financially support the current facilities?

--What will cost of yearly maintenance be?

**Response:**

Funds supporting the boating program are protected, and dedicated only to the acquisition, development, operation and maintenance of recreational boating facilities.

The estimated annual maintenance cost for Eight Point Lake will be approximately \$2,275. This figure includes seasonal wages, vehicle costs, equipment costs, paint/stain, fuels for equipment, gravel surface maintenance, and travel expenses. This figure also factors in a 10-year replacement cycle of the ramp, restroom and dock.

**42. Question/Comment:**

--What about a road survey?

--Roads are not adequate to handle this additional traffic.

--The pavement is poor-very thin and breaking up from limited lake use.

--The route to get to the site is twisted and difficult and unpaved.

--One of the alternate roads to site is not even paved (actually the most direct and best way to site).

--What type of signage will be used to tell the public where the boat ramp is located? What will be the locations for the signage?

--What precautions will be in place to avoid collisions with pedestrians, children, bicycles?

--Will "No Parking" signs be installed on South Shore Drive around the curve abutting the launch site?

--South Shore Drive is only 21 feet wide with a 90 degree corner nearby, and there is concern about public safety on the road.

--Potential for congestion and potentially deadly road accidents.

--Roads are narrow with blind turn where many people drive, walk, run, bike, and use golf carts, and also there are numerous children present.

--Located on blind curve with restricted sight.

--As ramp fills up, people will park on roadside causing problems with safety.

--There are two blind 90 degree turns to get to the site.

--Road at the east end is narrow and guardrails will have to be installed due to steep drop-off.

--No shoulder for road.

--Road needs realignment, barely 20 feet wide

--Increased traffic will be an accident waiting to happen.

--If road congested, this will pose an obstacle to emergency vehicles and a threat to the residents and visiting public. South Shore Drive is main route to lake and along its shore and I suspect many boaters would choose it

because it borders lake and for views; and boaters would continue to use South Shore Drive regardless of signs or designation of an alternate route.

--Every summer there are close calls between drivers, bikers, and pedestrians due to blind curve.

--Road needs to be paved and connected with South Shore Drive or will be a dangerous traffic risk to other road users.

**Response:**

The DNR recommends the route of travel to the boat access site as: Partridge Avenue to Rock Road to Garfield Avenue to Franklin Street to South Shore Drive. Directional signage will be provided to assist boaters to use the preferred route.

The Clare County Road Commission does not object to the suggested route to the proposed boating access site. The Road Commission and Garfield Township have expressed a desire to see a portion of Garfield and Franklin Street paved, to encourage the public to stay off South Shore Drive, between Rock Road and Franklin Street. The DNR agrees, and will work with the Road Commission to accomplish the improvements.

Although there are some gravel road segments leading to the site, the pavement in front of the subject property is paved.

By law, boats on trailers cannot exceed the allowable vehicle widths on public roads without permits. A recent letter from the county road engineer indicates that all of these roads meet standard Clare County criteria for width surfacing, signage, etc.

Passenger vehicles hauling small boats/trailers will stress asphalt road surfaces less than the delivery, maintenance, fire, and utility support vehicles that currently use these same roads.

Operators of vehicles that use publicly-owned boating access sites possess driving abilities that are similar to the riparian property owners of Eight Point Lake, their guests, and families.

As measured on February 26, 2008, widths of area roads are as follows (plowed widths, snow bank to snow bank): South Shore Drive is 22 feet; Franklin Street is 22 feet, and Garfield Avenue is 24 feet.

Road surfaces will be wider when snow banks melt and shoulders are exposed.

There is a 90 degree curve in South Shore Drive, approximately half way between the Franklin Street intersection and the desired access site location. This curve does not appear to present any unusual safety issue. The development of a boating access site at this location should not have a significant negative impact on the relative safety of the area's roads. DNR would not be directing boat traffic to the access site via this particular curve. Signs would be posted to encourage vehicular traffic to use Garfield Avenue, rather than the highly populated north/south segment of South Shore Drive.

**43. Question/Comment:**

--Question the State's liability of known safety situations if an accident did occur

--DNR appears not to care about this lake and the consequences they will inflict.

**Response:**

With public boating as part of the DNR's mission, we care greatly, and work hard to protect public safety on and off the water. We do this through good design, operationally, and how we enforce the laws. The site's safety features are thoughtfully designed into the plans and ultimate construction of the boat launch. The DNR has designed, developed, and operates hundreds of boat access sites throughout the state, enabling us to develop a high level of expertise based on these experiences. Laws are in place that govern the boater's use of the lake, which protect the riparians and their property. The DNR has made the commitment that, with a public boat launch, we will have more presence on the lake and at the launch facility, to protecting people and property.

**44. Question/Comment:**

--Adding a BAS would introduce new large vehicles as boaters transport their boats and this would create a bottleneck, and all remedies to it involve more expenditure of public funds or disruptions to private property owners through widening roads or gaining rights of way.

--South Shore Drive is a good road petitioned for and paid for by the abutting property owners.

--Are road improvements to the proposed ramp site part of cost estimate?

**Response:**

The development of a public boating access site at the proposed location will not cause a vehicular traffic bottleneck. Yes, there will be some extra traffic on the roads, probably noticeably so on weekends and holidays, however, this traffic will come and go intermittently throughout the day.

South Shore Drive is a publicly-owned, publicly-maintained county road.

**45. Question/Comment:**

- The expense of this proposed launch would reflect a poor stewardship of funds Michigan voters sought to safeguard in adopting the amendment to the Constitution last fall. Amendment provides for acquisition of property for construction and operation of recreation boating facilities, but this does not mean all potential purchases are equally valuable. Voters and taxpayers would be disappointed that one of the initial uses of these funds would be for a 12<sup>th</sup> launch site in a single county. A way to reward their confidence and trust would be to direct these funds to significant projects which make a statement about priorities and careful expenditures.
- Public access would be a good use of funds while available to purchase.
- With current financial position, poor time to invest well in excess of \$1 million implementing a boat launch on a lake that has a suitable public access point that has been in continuous operation since the 1920s.
- Public access ramp provided by tax dollars is ill advised
- Regarding percentage coming from gas tax, what a shame at the cost of gas and the people that are suffering Michigan.
- In our economic situation, both local and national, we should not be spending the time, money, and effort on a project like this. It should be postponed until we are in a better economic situation and can responsibly conduct all important and related studies having to do with the project before it proceeds.
- Seems like DNR doesn't work together, but always want to raise prices and ordinary citizens cannot afford to even fish anymore.
- In these times of budgetary woes, how can the commissioners face the public and allow the DNR to push through a totally unnecessary expenditure-from whatever fund? This is not a time to rush into an expense and no need to hurry the process.
- Sheer folly to invest over a million dollars on the basis of estimates.
- Why use public funds to create a potential hazard only to attempt to mitigate the impact by further expenditures?
- If the County/Township determines that road improvements are required to access this new site (paving Garfield Ave. and Franklin, installing guard rails, etc.), will that cost be built into the budget for this project?

**Response:**

While this access site may become the 12<sup>th</sup> boat launch in Clare County, it should be noted that all Clare County public launches combined provide only 109 parking spaces. Compared to the 5,000+ registered watercraft in Clare County, the need for more public access is very clear. Though the country and the state are seeing tough economic times, the Waterways Fund's use is, by law, restricted and cannot be redirected to other uses. The development of a new boat launch is an eligible expenditure for this fund. In spite of the speculations for costs to develop this site, the final costs are unknown, pending engineering efforts.

**46. Question/Comment:**

- Use the waterways funding for lakes that need the care, oversight, and expenditures that the fund can provide. Do a census of waterway use (boats per acre) on the same Saturday and Sunday hours starting with the largest lake and working down and spend waterways money on the under used lakes. I doubt if Eight Point would place in the order of lakes needing more boating.
- Why would you not put the money towards something "Needs" not extras?
- Why not use the money for law enforcement agents to patrol the area lakes?
- Money could be allocated back to the general fund, or an alternative, the fees that generated this fund could be reduced, therefore saving the public in that way.
- If you have so much money, give some to state parks so we won't have to close them since people love to camp but cannot afford lakefront property.

**Response:**

The Waterways Fund is a restricted fund that can only be used for the purposes specified by law, which are acquisition, development, maintenance, and operations of boating facilities. Currently, 49% of the Waterways Fund is used for Marine Safety and Law Enforcement on the waters of the state.

**47. Question/Comment:**

- The MNRTF has more money that it can wisely spend.
- The MNRTF should be spending some of that bottomless pot of money to hire competent and conscientious people at the DNR.

**Response:**

The Michigan Natural Resources Trust Fund is not funding the boat launch at Eight Point Lake. Funding for this project comes from the Waterways Fund that is specifically restricted to the acquisition, development and operation of boating facilities.

**48. Question/Comment:**

- Are there any safety studies due to number of boats been done?
- Why hasn't a safety study been done?

**Response:**

Conservation Officers (CO) Jason McCollough and John Wood are checking Eight Point Lake at least a couple of times each week, and more often during peak times. CO's don't track the number of violations specific to a lake. Personal watercraft (PWC) complaints and citations seem to be slightly higher on Eight Point and Crooked Lakes, which may be attributed to not having any watercraft control ordinance. If the township worked with the DNR for a watercraft control ordinance, the hours for high-speed watercraft operation would be prohibited between the hours of 7:30pm and 11:00am, daylight savings time.

Regarding more frequent patrolling, it would be easier to increase the frequency of visits with improvements to lake accessibility (with a designated parking space). The officers attempt to give each of the area's lakes their fair share of patrol time. If need dictates, such as a rise in complaints, accidents, injuries, etc., then officers would focus on those problems.

**49. Question/Comment:**

- Constructing a public access will only increase the number of boats and jet skis and increase congestion.
- At what cost is access necessary-lake is one of the most populated making the number of boats on lake a safety issue.
- Boat congestion in and around an area with many weeds and not many ways out is not safe.
- Cannot enjoy water skiing, tubing, or boarding due to congestion, and there are times we cannot swim past our docks because boats and jet skis come too close.
- Sandbar in center of lake used for swimming and recreation apart from boats would be a safety concern due to congestion from boats.
- Lake already very crowded on weekends, and most cottage owners do not go on lake due to crowding.
- There are times of high usage, but the addition of 20-30 spaces will not significantly affect the resident's ability to use lake.
- Lake is not big enough for more traffic because of people living there now.
- The increased boat traffic will create a serious public safety hazard and may very well exceed the carrying capacity of the lake.

**Response:**

Per the Garfield Township Assessor, there are about 300 full or part-time residences around Eight Point Lake. Riparians have provided several estimates regarding the average number of watercraft associated with these 300 residences (ranging from 1.5 to 3+ per residence). Even based on the more conservative side of these estimates (450 watercraft), the percentage of increase brought about by possibly 25 boats launched at a new public site is not numerically significant. The net impact resulting from boats entering from the public launch is further diminished when we consider that some of the boats would have otherwise accessed the lake via the existing fee launch. There is no doubt that the site will be busy on nice summer weekends and holidays, probably filling to capacity at these times.

DNR staff have visited Eight Point Lake during all seasons of the year. There is significant emergent weed growth from the wetland area southeast of the proposed ramp site to the head of the bay, but not in the immediate area of the proposed launch site. The bay is not narrow, ranging between 900'-1000' wide. PRD can foresee no reason that boat traffic would be impeded moving either toward the main body of the lake or toward the ramp location.

DNR staff have boated on the lake, but did not see the sandbar that is being described in the comment, nor able to locate it on a lake depth map.

**50. Question/Comment:**

--30 foot pier out into the lake in small cove is a safety issue.

**Response:**

As stated previously, the cove is 900-1000 feet wide. The 30 foot skid pier will only project 20-22 feet into the water. This will not create a hazard.

**51. Question/Comment:**

--Where would there be a report on what endangered species will be destroyed in that area?

**Response:**

The Michigan Natural Features Inventory's (MNFI) database contains no records of rare species in Eight Point Lake or associated uplands.

The MNFI database does include nesting records for the state threatened common loon on three lakes (Gray, Crooked, Bass) all approximately three miles to the east and northeast of Eight Point Lake. It seems likely that common loons may occasionally forage on Eight Mile Lake, but there are no nesting records in the MNFI database.

The MNFI database lists a 1989 record for an osprey (state threatened) nest, approximately three miles west of Eight Point Lake in Osceola County. Osprey may also forage on Eight Point Lake.

A formal plant and animal inventory of the proposed Eight Point Lake BAS for rare species was not conducted. Given the site conditions, it is our opinion that the likelihood of the site supporting an endangered species is extremely low, and an on-the-ground survey is not warranted.

**52. Question/Comment:**

--The public meeting seems to be a formality and specific questions are not being answered.

--Perceptions created by this meeting: this project has been a "done deal" for some time; there are incompetent people working at the DNR.

--Questions at the public meeting were being dodged and government was not working for the betterment of the people. Felt embarrassed for the DNR coming out of that meeting.

--DNR presented a very weak plan-no budget, no specific measurement-unable to answer specific details. They are either lying and know info. or they appear to be ignorant to any kind of details.

--State would have been better served to provide better details as to what it had determined from the feasibility study that was done by the State or if the State was not ready to publicly comment on the findings, then this could have been stated. Commenting that the State "did not know" or something "hadn't been studied" yet makes the State look ill prepared and foolish. People need to know that much research and study went into the decision to move forward on this project. People may not be happy with what is said but at least they will feel that due diligence was done by the State. I came away feeling that due diligence was not done. If the state had done the feasibility studies why wouldn't the results be shared? Again, it makes people very suspicious. For future projects I hope you handle it in a much more professional and forthright manner.

--Meeting was like watching our government in action-you have been unwilling to really listen-no reason staff could not stand in front to address questions. I understand to divide group is easier to conquer.

--When asked about specific plans, staff said there were no details, that this was just a conceptual idea. That simply is not true, and the audience knew it. You know exactly what you intend to do or you wouldn't have put this much time and effort into it. Your lies and evasion effectively served to create an adversarial relationship with the public. The unprofessional manner in which this meeting was conducted remains appalling.

--Secrecy and lack of preparation by DNR when not answering important questions.

--A refusal or inability to answer questions on DNR's part and to provide important information looked like either gross incompetence or a deliberate attempt to deceive and circumvent any attempt for property owners to express opinions. Many property owners looking for open exchange of information regarding this sale and are not getting that.

--Answers were vague and the DNR was very evasive.

**Response:**

Acquiring land on Eight Point Lake has been a high priority for the State of Michigan since the 1970's. The intent and purpose of the February 7, 2008 public meeting was to provide an opportunity for the public to comment on the proposed acquisition of property on Eight Point Lake. It was wrongly assumed by the attendees, that the DNR had completed extensive development plans and evaluations before arriving at a decision to purchase the parcels. By contrast, the only evaluations necessary to initiate a purchase are basic to any development, specifically: funding, lake depths and size, property size and configuration, road access, site topography, wetlands, density of neighborhood, and zoning. If all these factors are reviewed with affirmative results, the acquisition process moves forward. Annually, the department evaluates many proposed land acquisitions, declining to pursue most of these. Therefore, it would be unwise and costly to conduct extensive evaluations and development plans for proposed properties.

The misperception that the DNR was being evasive was the unfortunate result of the attendees expecting development answers from a DNR team who came prepared to speak about acquisition. The DNR was unable to respond conclusively on many development questions due to the preliminary nature of this proposed project. It is unfortunate that some attendees believe that the DNR lied or hid information, when in fact, producing development information was simply premature. Since many land acquisition offers do not conclude with a purchase, the DNR does not conduct extensive design until after a purchase is executed.

In addition to the February 7 public meeting, many interested persons also attended the February 15 Michigan State Waterways Commission meeting. Public comment was provided to the Waterways Commission by a number of visitors.

At the end of that Michigan State Waterways Commission meeting, staff met briefly with Eight Point Lake Homeowners Association president, Jim Carrigan, to discuss the possibility of setting up a meeting with lake association representatives. That meeting occurred on March 13 at the Garfield Township Hall, and included lake association representatives, property owners, a Clare County Road Commissioner, the Clare Co. Drain Commissioner, Garfield Township Supervisor, and 5 DNR staff. The Lake Association provided DNR with a list of questions prior to the meeting. The group met and discussed these issues, and reviewed two conceptual drawings for the boating access site's layout. The group concluded that this meeting had been very productive.

**53. Question/Comment:**

--Most objections raised were shallow and represented territorialism rather than honesty.

--Property owners do not own the lake itself and that fact should drive the issue.

--Some meeting attendees appreciated the opportunity to express views even though this was vanished in the inconsiderate actions of the property owners of Eight Point Lake.

--This is a public lake, and the Association and DNR can work together.

--Customers have been telling me how they wish there was an easier access site to launch their boat.

--Applaud DNR and Waterways Commission for their mission to make lakes accessible to all people who want to share in the state's resources.

**Response:**

It is the intent of the DNR to work with local lake representatives on a final design and operation of the proposed boat launch. It is unfortunate that the February 7<sup>th</sup> meeting did not convey a safe enough atmosphere to allow supporters to comfortably voice their opinions.

**54. Question/Comment:**

--Proposed meeting format at public meeting was greatly flawed. People have legitimate questions and format made things more confrontational.

--The manner in which the attendees of the meeting were treated by the DNR staff was completely inappropriate and inexcusable for public servants whose professional purpose is to service the people of Michigan. The citizens of Michigan have entrusted their valuable state resources to the DNR and they deserve and expect a

much higher degree of professional behavior than what was displayed at the meeting. It is indicative of an organization that has lost sight of its purpose.

--P.A. 451 of 1994 and P.A. 210 of 1998 call for public meetings and this clearly implies the public should have real information given to them at meetings, a reasonable opportunity for input, and I suggest that the public deserves being given an opportunity to object.

**Response:**

The meeting was anticipated to generate considerable interest and the DNR had expected a large crowd to attend. The intended open house format was designed to provide the maximum personal attention to the participants as possible, by providing at least nine department employees available to answer questions at the same time. Based on the wishes of the attendees, the DNR altered the format to adopt a single questions and response approach.

Public Act 210 of 1998 does not require public meetings. It does specify that if the DNR decides to hold a public meeting, that there are certain requirements. If the DNR does not hold a public meeting, the local government can hold one and the DNR will attend it.

**55. Question/Comment:**

--How come this meeting was not in the newspaper?

--Timing and manner of notice of the project are questionable. Project involves a lake in rural county where most property owners hold their property as recreational property and not permanent homes, so only there in summer, and not January. Public meeting held when most property owners are elsewhere and during the work week on a Thursday.

--DNR refused to give specifics of their two week notice, and editor of Clare Sentinel said at meeting that paper received one day before meeting through a fax. Editor offered to show DNR the date and DNR did not want to see it and DNR continued to state that the notice was distributed. Many who are on the lake live in Florida in January and February and this meeting could not have been planned at a worst time. Speculation is that this was intentionally calculated and purposefully done by DNR to discourage attendance.

--The notice was too short and inadequate and meeting should be held at a time convenient to public.

**Response:**

A press release was distributed through DNR press office on January 24th. This information was distributed to multiple Michigan news agencies, including the local Clare Sentinel. Shortly after the press release went out, a personal phone call was made to the Clare Sentinel to confirm receipt of the press release, which was acknowledged by the newspaper. The DNR does not know why this paper did not publish this information. DNR staff, realizing that the local paper did not pick up the story, faxed a copy of the press release directly to the local paper. In total, at least three contacts were made with the Clare Sentinel, but the information was not published in the paper.

**56. Question/Comment:**

--Many owners came to meeting and told the only way to have their say was to appear at Waterways Commission meeting one week later on a week day and almost 100 miles away.

--Please remove agenda item and postpone from Waterways Commission meeting on 15<sup>th</sup>.

--Surprised to find out the next meeting offered to address concerns (Waterways Commission Meeting) looks like a calculated attempt to prevent property owners from voicing their opinions due to it being in the mid morning during the week in a town an hour and a half from the lake itself. Why not have in evening or weekend or during the summer when more property owners could attend?

**Response:**

The February 7<sup>th</sup> meeting was an informational meeting on a proposed land acquisition. Any comments gathered at the meeting, or received as e-mail and U.S. postal service mail, would be presented to the Michigan State Waterways Commission meeting at their regularly scheduled February 15, 2008 meeting.

At the February 7<sup>th</sup> public meeting, citizens asked what other opportunities existed for them to share their opinions. DNR staff responded that they were welcome to provide additional comments at the upcoming Michigan State Waterways Commission meeting. Attendees were not told that the "only way to have their say" was to appear at the Waterways Commission meeting the next week. Attendees were



also encouraged to either write or email their comments, and that these would be collected and presenting them to the Commission on Feb. 15.

The Michigan State Waterways Commission meetings are scheduled annually around the state. Meeting dates and times are set in advance and approved by the Commission at the December meeting for the following year's calendar.

**57. Question/Comment:**

--County Parks and Recreation Commission representation was there, but they were frustrated by behavior of one representative of media and the property owners in general.

--Clare County Parks and Recreation fully and wholeheartedly supports initiative and one of main objectives is to facilitate in any way the addition of launch sites at county lakes. Hope that DNR proceeds with due diligence to develop this and other sites.

**Response:**

Staff will work together with the county plans for recreation and access to the lakes of the county.

**58. Question/Comment:**

--What is the opposition for this facility acquisition and development?

--What would it take to stop this? What can local citizens/stakeholders do to stop this?

--What would have to happen for the DNR to abandon or abort this?

--Any litigious action to stop purchase of land?

--There are a lot of supporters, some are property owners on lake and most are around lake.

**Response:**

The Department of Natural Resources (DNR) is a state department that serves the people of the State of Michigan. DNR Director Rebecca Humphries has the authority to approve or disapprove the acquisition of this property.

**59. Question/Comment:**

--Governor Granholm pledged more access, so who from Clare County is driving this?

--Does Governor Granholm want access on every lake?

**Response:**

Within Clare County, DNR staff have been leading the efforts to establish public boating access on Eight Point Lake. This effort to acquire property for safe boating access has been ongoing since the 1970's. Governor Granholm supports access to the lakes of Michigan on behalf of the public.

**60. Question/Comment:**

--Does the DNR pay property taxes?

--The tax base is the highest in the county and property values will decrease/be cut in half with this site.

--Decrease property values will equal low tax revenue for county and bad for everyone.

--Will property values drop because of this launch being built?

**Response:**

Acquisition by the DNR does remove land from the tax base, however, the DNR does provide a Payment in Lieu of Taxes (PILT) annually.

There are no indicators to support the theory that public access devalues riparian properties. Public access may, in fact, increase property values by providing safe and adequate transition from land to water. In the DNR's property appraisals, public water access was a factor due to the quasi-public access that is currently provided by the fee launch. There is nothing to substantiate any change in property values (either positive or negative) with the establishment of a public boat launch. Any influence on value due to the ability of the public to access the lake is already in play. The addition of a new public boat launch is inconsequential to the property values. A complete appraisal was performed in the process of considering the Eight Point Lake launch site. No influence on value was noted.

Although speculative, it is more likely that a positive influence in value would be experienced by lake residence. The addition of amenities such as a handicapped accessible boat launch site with adequate parking are typically viewed as positive influences on surrounding real estate.

**61. Question/Comment:**

--Does the DNR intend to put a boating access site on Eight Point Lake?

**Response:**

**Yes. The DNR intends to put a boating access site on Eight Point Lake.**

**62. Question/Comment:**

--Has anyone put packet together for lawmakers?

--What happened to our letters we sent to the DEQ and legislators?

**Response:**

**The DNR provides information to all legislators, upon request.**

**63. Question/Comment:**

--Who on Lake Association has contacted someone to voice opinion? Who has heard arguments?

**Response:**

**There have been a number of people who have called Parks and Recreation Division who were against public access on Eight Point Lake. There were also people who called in support of public access on this lake. Parks and Recreation Division has a list of people who have contacted this office.**

**64. Question/Comment:**

--Who is Rebecca Humphries?

--Can we access comments sent to Becky?

**Response:**

**Rebecca Humphries is the Director of the Michigan Department of Natural Resources. Access to comments received by her office can be achieved through a request via the Freedom of Information Act (FOIA) process.**

**65. Question/Comment:**

--What if the DNR bought property and exact tests were not done?

**Response:**

**All pertinent tests and information are collected before the DNR recommends acquisition.**

**66. Question/Comment:**

--Are you getting calls from boaters that we cannot access the lakes?

--Did you say you received a call from someone that they could not get on Eight Point Lake?

**Response:**

**Yes. We have received calls from people who have been denied access to the lake for summer and winter boating access.**

**67. Question/Comment:**

--That protection and conservation of Michigan's resources is not a mission statement mandate, but merely a concept or suggestion.

--The DNR is not concerned with being cost effective, wise or logical, or sensitive to Michigan's natural resource environmental needs.

--The DNR steamrolls its way around the state, doing what it wants, or what it needs to do to satisfy strategic planning objectives on paper, or someone's political goal, or both.

--The Waterways Commission and the DEQ are just rubber stamp organizations for the DNR, two pockets of the same pair of jeans.

--The DNR is in need of major reform, a system of checks and balances, far less autonomy, and more responsibility to the public whose taxes fund them.

--Everything seems completely to contradict what DNR should stand for.

--DNR must ensure that each project they undertake meets all of the DNR's mission statement objectives and not just one of them. It appears their unbridled autonomy allows them to manage a resource by jeopardizing the conservation and protection of that resource. It is unconscionable to exploit a resource to satisfy someone's objective of providing public access on every lake and river, regardless of consequence. Environmental protection and conservation is sacrosanct, and must be upheld if current and future generations are to benefit.

**Response:**

The DNR is capable of developing a public boating access site at Eight Point Lake, to enable the citizens of Michigan further enjoyment and appreciation of that public water body, and the natural resources within it. The following mission statements all support the acquisition of the property at Eight Point Lake for the development of a public boating access site.

**"The Michigan Department of Natural Resources is committed to the conservation, protection, management, use and enjoyment of the State's natural resources for current and future generations."**

**"The Parks and Recreation Division's mission is to acquire, protect and preserve the natural, historic and cultural features of Michigan's unique resources and provide public recreation and education opportunities."**

**"The Michigan State Waterways Commission works to provide safe public access to the Great Lakes and inland waters of the State of Michigan. Working with partners, the Commission oversees the use of dedicated funds provided by boaters for the acquisition, construction and operation of the infrastructure needed to support boating."**

The Michigan Department of Environmental Quality (DEQ) works independently of the DNR, and grants no special favors to any other department of the state. The DNR must apply for development permits on Eight Point Lake, just as any other riparian property owner would need to do.

**68. Question/Comment:**

--Has a study been done that would project economic factors due to this project such as property values, road maintenance, and law enforcement that would not be directly shouldered by the DNR?

**Response:**

There has not been any economic factor study for perceived non-DNR costs or property devaluations.

**69. Question/Comment:**

--Where is the DNR Ecological Study?

--We would like a copy of the ecological study.

--What are the elements of your risk assessment process?

--Where are the results of your risk assessment analysis?

--We would like a copy of that risk assessment?

--Was a risk analysis assessment conducted on the alternate site?

--What were your conclusions and where can we get a copy of that report?

**Response:**

PRD's Unit Supervisor, Eric Fransen, as well as other DNR staff, have inspected the site to review its potential as a public boating access site. Eric's assessment skills are based on 34 years of professional experience, including information and observations gained during a career in outdoor recreation, and nearly 50 years of personal watercraft use on the waters of the state.

Site details that Eric and other DNR staff reviewed include environmental impacts from the potential development on the natural resources of the site and its surroundings; water depths; existing soils; the level of present site development/disturbance; the amount and impact of impervious or pervious surfacing anticipated; road access to the site; neighbors and privacy issues; site and public security, etc.

The development of this property into a public boating access site with 20-25 parking spaces, using best design practices and best management practices, will have far less environmental impact on this property than if it were developed into multiple private residences (reference response #25). As a public boating access site it will meet every DEQ requirement, and will minimize and manage storm water runoff; it will operate a sealed, vault toilet in lieu of a septic field system to protect the lake, and reserve and manage existing vegetation as a buffer. Mowing will be limited to the use areas, leaving the shoreline to naturalize for better wildlife habitat. PRD has a vast amount of experience in building and operating over 700 public boating access sites throughout the state, with a high level of boater and riparian satisfaction.